

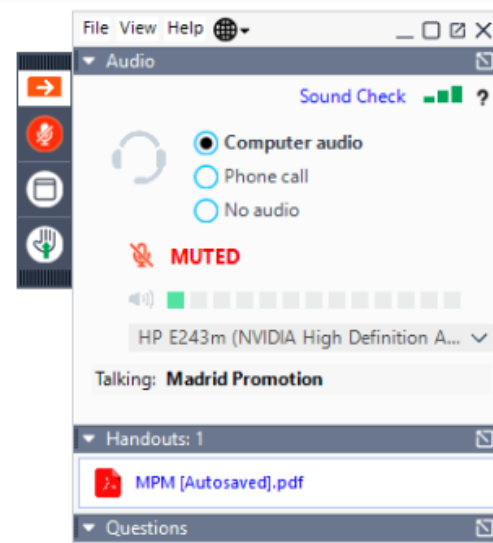
Типичные ошибки пользователей Мадридской системы

Женева
30 Сентября **2020**

Сарнай Ганбаяр - главный эксперт 1-ой группы отдела по оперативному обслуживанию Мадридской Системы

Галия Турганова – эксперт 2-ой группы отдела по оперативному обслуживанию Мадридской Системы

Как использовать страницу GoToWebinar



Структура вебинара

- Презентация
- Ответы на вопросы в конце вебинара
- Краткий опрос для получения отзывов и комментариев
- Размещение презентации и записи вебинара на веб-странице вебинаров по Мадридской системе

Содержание презентации

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Несоблюдение правил

Правовые тексты

- Протокол к Мадридскому соглашению о международной регистрации знаков
- Мадридское соглашение о международной регистрации знаков
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Базовые требования для подачи заявки

- Правомочие
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- Требования к международной заявке (Правило 9)

Правило 9(4)(a)(xiii): Товары и услуги

10 GOODS AND SERVICES

You can find indications that are pre-accepted by the International Bureau in the Madrid Goods & Services Manager (MGS) at www.wipo.int/mgs/. By using these indications you can avoid possible irregularities concerning the classification of goods and services and a delay in the recording of the international registration.

Please use font “**Courier New**” or “**Times New Roman**”, size 12 pt, or above.

Please make consistent use of a semicolon (;) to clearly specify the goods and services indications in your list, e.g.:
09 Scientific, optical and electronic apparatus and instruments; screens for photoengraving; computers.
35 Advertising; compilation of statistics; commercial information agencies.

(a) Indicate below the goods and services for which the international registration is sought:

Class	Goods and services
-------	--------------------

- Названия товаров и услуг, сгруппированные в соответствующие классы МКТУ
- Использование точных терминов
- Алфавитный указатель к МКТУ

Несоблюдение правил

Классификация товаров и услуг

Правило 12

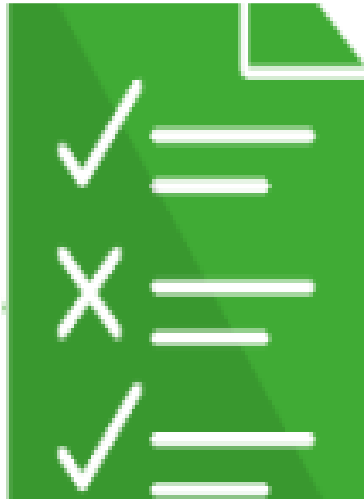
Указание товаров и услуг

Правило 13

Иные несоответствия

Правило 11

Ответственность за устранение несоответствия



Ведомство
происхождения



Заявитель

Правило 12

Классификация товаров и услуг

МБ считает, что товары и услуги не сгруппированы в соответствующий класс, либо им не присвоен номер класса, либо эти номера неправильные

- Устранение - Ведомство происхождения
- МБ регистрирует знак, в соответствии с классификацией, которую оно считает верным

Образец уведомления: Правило 12

IRREGULARITY(IES) CONCERNING THE CLASSIFICATION OF GOODS AND SERVICES: TO BE REMEDIED BY THE OFFICE OF ORIGIN (Rule 12).

2. The International Bureau considers that the goods and/or services listed in the international application are not grouped in the appropriate classes of the International Classification of Goods and Services (Rule 9(4)(a)(xiii)). The International Bureau proposes therefore to transfer the following terms:

"organization and conducting of congresses for commercial or advertising purposes" **from class 35 to class 41** - Please see the Explanatory Note for class 41 of the 11th Edition of the International Classification of Goods and Services, see by analogy with position 410046 and the term "arranging and conducting of business conferences".

The proposed grouping may entail the payment of further fees (see attached accounting statement).

An opinion on this proposal may be communicated to the International Bureau. Any such opinion must be communicated **THROUGH THE OFFICE OF ORIGIN within three months from the date of the present notification, that is by 17 May 2020**. Failing this, the mark will be registered **with the classification and grouping proposed by the International Bureau**. However, if this proposal entails the payment of further fees and such fees are not paid within four months from the date of the present notification, the international application will be considered **abandoned**.

Applicants are strongly encouraged to check the existence and classification of terms appropriate to their needs in the Madrid Goods & Services Manager at <http://www.wipo.int/mgs>

Annex to the irregularity notice concerning the international application based on the national application or the national registration No 2017749954

Our ref.: EN-I/1325185201/AA
Office ref. : 2018M15856|
Applicant ref.:

	Swiss Francs
Fee where no reproduction of the mark is in col or (mixed application):	653.00
Complementary fee (mixed application):	300.00
Supplementary fee (mixed application, including the supplementary fee linked with the irregularity in accordance with rule 12(1)):	200.00
Individual fee (international application): US	388.00
Individual fee per additional class (international application): US	1,552.00

Total due:	3,093.00
To date, your payment is:	
- payment 18/0057241 on 12/09/2018	2,117.00

Balance in our favour	976.00
<PAYMENT-INFO>	

Правило 12: Процедура

Уведомление о несоблюдении требования: Правило 12 Предложение МБ



Правило 13

Указание товаров и услуг

МБ считает, что термин:

- слишком неопределенный для целей классификации
 - непонятный
 - неправильный с лингвистической точки зрения
-
- Устранение - Ведомство происхождения
 - Отсутствие предложения или приемлемого для МБ предложения - регистрация с примечанием

Образец уведомления: Правило 13

IRREGULARITY(IES) CONCERNING THE INDICATION OF GOODS AND SERVICES: TO BE REMEDIED BY THE OFFICE OF ORIGIN

1. The International Bureau considers that the following term(s) of the list of goods and/or services is/are too vague for the purposes of classification (Rule 13):

"design of advertising materials" (class 35)

"relocation services" (class 35)

The International Bureau suggests therefore the following:

"development of advertising concepts" (class 35)

"administrative services for the relocation of businesses" (class 35)

A proposal as to different term(s) may be communicated to the International Bureau. Any such proposal must be communicated **THROUGH THE OFFICE OF ORIGIN, within three months** from the date of the present notification, **that is by 17 December 2020** If no proposal acceptable to the International Bureau is made within this period, the International Bureau will include in the international registration the term(s) as appearing in the international application, with an indication to the effect that, in the opinion of the International Bureau, the specified term(s) is/are too vague for the purposes of classification.

Applicants are strongly encouraged to check the existence and classification of terms appropriate to their needs in the Madrid Goods & Services Manager at <http://www.wipo.int/mgs>

Правило 13: Процедура

Уведомление о несоблюдении требования: Правило 13
Предложение о замене / Исключение

3 месяца
для ответа

Ведомство происхождения

Заявитель

Ответ

Отсутствие ответа с ВП

МБ принимает предложение

МБ отказывает

Регистрация
(согласно предложению ВП)

Регистрация
(при отсутствии указания класса термин исключается)

Регистрация
(как в заявке с примечанием МБ)

Указание товаров и услуг

Типичные ошибки

10

GOODS AND SERVICES

You can find indications that are pre-accepted by the International Bureau in the Madrid Goods & Services Manager (MGS) at www.wipo.int/mgs/. By using these indications you can avoid possible irregularities concerning the classification of goods and services and a delay in the recording of the international registration.

Please use font “*Courier New*” or “*Times New Roman*”, size 12 pt, or above.

Please make consistent use of a semicolon (;) to clearly specify the goods and services indications in your list, e.g.:
09 Scientific, optical and electronic apparatus and instruments; screens for photoengraving; computers.
35 Advertising; compilation of statistics; commercial information agencies.

(a) Indicate below the goods and services for which the international registration is sought:

Class

Goods and services

- Пунктуация
- Использование терминов старых редакций
- Упоминание в перечне других классов

Указание товаров и услуг

Class	Goods and services
33	alcoholic beverages, except beer; aperitif wines; wine; grape wine; white wine; red wine; table wines; vermouth; sparkling wines; sparkling grape wine; wine-based beverages; digesters [liqueurs and spirits]; brandy; whisky; grape alcoholic beverages; gin; arrack [arak]; anisette [liqueur]; anise [liqueur]; mead [hydromel]; vodka; kirsch; perry; cocktails; liqueurs; peppermint liqueurs; distilled beverages pre-mixed alcoholic beverages, other than beer-based ; alcoholic beverages containing fruit; bitters; piquette; rice alcohol; rum; cider; spirits [beverages]; alcoholic extracts; alcoholic essences; fruit extracts, alcoholic

Указание товаров и услуг

35

Sales promotion for others in the relation to amino acids for veterinary purposes; amino acids for medical purposes; dietary fiber; hematogen; nutritional supplements; mineral food supplements; vitamin supplement patches; albumin dietary supplements; dietary supplements for animals; yeast dietary supplements; glucose dietary supplements; alginate dietary supplements; casein dietary supplements; lecithin dietary supplements; linseed oil dietary

- Неправильное использование знаков препинания - неправильное толкование товаров и услуг;
- МБ не изменяет список товаров и услуг в международной заявке, подписанной и переданной Ведомством происхождения, путем добавления или изменения знаков препинания;
- МБ сообщает о нарушении требований.

Указание товаров и услуг

Пример

- **Класс 1:** витамины; белки для использования в производстве пищевых добавок.
 - «витамины» следует отнести к 5 классу.
- **Класс 1:** Витамины, белки для использования в производстве пищевых добавок.
 - класс 1.

Указание товаров и услуг

- Комитет экспертов Ниццкого Союза пересматривает классификацию и принимает решение по изменениям в МКТУ.
- Изменения публикуются в виде новых редакций каждые пять лет и новых версий каждый год.
- Действующая редакция: 11-2020.

Указание товаров и услуг

Classes : 00 11 16 35

Goods and Services in English : shop]; commercial intermediation services; commercial or industrial management assistance; compilation of information into computer databases; compilation of statistics; computerized file management; cost price analysis; data search in computer files for others; demonstration of goods; **design of advertising materials**; direct mail advertising; dissemination of advertising matter; distribution of samples; document reproduction; drawing up of statements of accounts; economic forecasting; employment agency services; import-export agency services;

- 350121 **design** of advertising materials – 11-2019 NCL
- 420258 **graphic** design of promotional materials – 11-2020 NCL
- 350121 development of advertising concepts (разработка рекламных концепций)

Указание товаров и услуг

Classes : 00 11 16 35

Goods and
Services in
English

: organization or exhibitions for commercial or advertising purposes; organization or fashion shows for promotional purposes; organization of trade fairs for commercial or advertising purposes; outsourced administrative management for companies; outsourcing services [business assistance]; pay per click advertising; payroll preparation; personnel management consultancy; personnel recruitment; photocopying services; presentation of goods on communication media, for retail purposes; price comparison services; procurement services for others [purchasing goods and services for other businesses]; production of advertising films; professional business consultancy; providing business information via a web site; provision of an on-line marketplace for buyers and sellers of goods and services; provision of commercial and business contact information; psychological testing for the selection of personnel; publication of publicity texts; publicity material rental; public relations; radio advertising; **relocation services for businesses**; rental of advertising space; rental of advertising time on communication media; rental of billboards [advertising boards]; rental of photocopying machines; rental of sales stands; rental of vending machines; retail or wholesale services for

- 350069 **relocation** services for businesses – 11-2019 NCL
- 350069 **administrative** services for the relocation of businesses
11-2020 NCL

Указание товаров и услуг

Class 35

Retail or wholesale services relating to the goods of class 03, including via on-line shops.

Класс 37: «услуги установки и монтажа, относящиеся к изделиям, упоминаемым в классе 11 выше»

- Упоминание в перечне других классов
- Ссылки на информацию, относящуюся к другому классу, не признаются МБ для целей классификации

Вопрос

Международная заявка содержит два класса, к заявке приложен документ об оплате.

Класс 3: - средства косметические; мыло; мыло дезинфицирующее.

Класс 5: - препараты фармацевтические.

МБ группирует товар «мыло дезинфицирующее» в 5 классе согласно номеру 050479 Алфавитного перечня, направляет уведомление в ВП и одновременно информирует Заявителя.

Что произойдет с заявкой в случае отсутствия ответа на уведомление?

Варианты ответов

- 1. МБ регистрирует заявку с предложенной группировкой товаров.
- 2. МБ регистрирует заявку и включит термин в том виде, в котором он фигурирует в заявке, с примечанием МБ.
- 3. Заявка будет считаться прекращенной.

Несоблюдение правил

Правило 12

- Ведомство происхождения

Правило 13


- Ведомство происхождения

Правило 11

- Ведомство происхождения
- Заявитель

Правило 11

Несоответствия, подлежащие устранению Ведомством происхождения

- Заявка не была представлена на официальном бланке – MM2
- Несоблюдение Правила 15  дата международной регистрации
- Право заявителя на подачу заявки
- Не содержит дату и номер базовой заявки/регистрации
- Удостоверение и подпись Ведомства происхождения
- Пошлины

Правило 11

Несоответствия, подлежащие устранению Заявителем

- Не соответствующая требованиям информация для установления личности заявителя и связи с ним
- Недостаточные сведения о приоритете
- Воспроизведение знака не является четким
- Притязание на цвет с отсутствием воспроизведения знака в цвете
- Транслитерация
- Добровольное описание знака
- Отсутствие или несоответствие требованиям формы ММ18
- Пошлины

Правило 15

Изменение даты международной регистрации

Отсутствие:

- указаний, позволяющих установить личность заявителя и достаточных для установления контакта с ним или его представителем;
- Указанных Договаривающихся сторон;
- изображения знака;
- указания товаров и услуг

2**APPLICANT**

(a) Name: 1. Lisitsin Andrei Ivanovich

2. Makarova Inna Sergeyevna

(b) Address: 1. ul. Pobedy 1, of. 1, RU-101000, Moscow, Russian Federation

2. ul. Moskovskaya 1, of. 1, RU-101000 | Moscow, Russian Federation

3**ENTITLEMENT TO FILE**

(a) Check the appropriate box:

- (i) where the Contracting Party mentioned in item 1 is a State, the applicant is a national of that State; or
- (ii) where the Contracting Party mentioned in item 1 is an organization, the name of the State of which the applicant is a national:; or
- (iii) the applicant is domiciled in the territory of the Contracting Party mentioned in item 1; or
- (iv) the applicant has a real and effective industrial or commercial establishment in the territory of the Contracting Party mentioned in item 1.

3**ENTITLEMENT TO FILE****Заявитель 1**

(a) Check the appropriate box:

- (i) where the Contracting Party mentioned in item 1 is a State, the applicant is a national of that State; or
- (ii) where the Contracting Party mentioned in item 1 is an organization, the name of the State of which the applicant is a national:; or
- (iii) the applicant is domiciled in the territory of the Contracting Party mentioned in item 1; or
- (iv) the applicant has a real and effective industrial or commercial establishment in the territory of the Contracting Party mentioned in item 1.

3**ENTITLEMENT TO FILE****Заявитель 2**

(a) Check the appropriate box:

- (i) where the Contracting Party mentioned in item 1 is a State, the applicant is a national of that State; or
- (ii) where the Contracting Party mentioned in item 1 is an organization, the name of the State of which the applicant is a national:; or
- (iii) the applicant is domiciled in the territory of the Contracting Party mentioned in item 1; or
- (iv) the applicant has a real and effective industrial or commercial establishment in the territory of the Contracting Party mentioned in item 1.

2

APPLICANT

(a) Name: Shuliak Oleh Viktorovich

(b) Address: vul. Shevchenka, bud. 42, s. Troitske, Shevchenkivskiy raion, Kharkivska obl., 63608

(c) Address for correspondence: vul. Charivna, bud. 103, kv. 94, m. Zaporizhzhia, 69071, UA

(d) Telephone : +380681779200 Fax _____

E-mail address: info@patentresult.com.ua

4

APPOINTMENT OF A REPRESENTATIVE

Name: Nyzova Inna Oleksandrivna

Address: vul. Charivna, bud. 103, kv. 94, m. Zaporizhzhia, 69071, UA

Telephone: : +380681779200; +380443626702 Fax: _____

E-mail address: _____

?

Адрес для переписки

заявителя или адрес представителя?

?

Опечатки / упуцения / качество заявки

Address : P.O. box, Moscow, RU-117449

2

APPLICANT

(a) Name: U PYRINSKO Oleg

(b) Address: vul Chernyshevskoho, 69, kv. 14, m. Kharkiv, 61002 (Ukraine)

(c) Address for correspondence: Krikhmalynova Tetyana Igorivna, PO box 3120, Kharkiv, 61072, Ukraine

(d) Telephone: +380503023383

Fax:

E-mail address: office@patent-project.com.ua

By providing an e-mail address, any further correspondence from the International Bureau related to this international application and its resulting international registration will be sent only electronically and, therefore, you will no longer receive any paper correspondence. Likewise, any further correspondence from the International Bureau related to other international applications or international registrations for which the same e-mail address has been, or will be, provided will also be sent only electronically. Please note that, for the purpose of electronic communication, there can be only one e-mail address recorded per each international registration.

(e) Preferred language for correspondence: English French Spanish

(f) Other indications (as may be required by certain designated Contracting Parties; for example, if the United States of America is designated, it is necessary to include these indications):

(i) if the applicant is a natural person, nationality of the applicant: U/A

(ii) if the applicant is a legal entity:

legal nature of the legal entity:

State and, where applicable, territorial unit within that State, under the law of which the legal entity is organized:



(f) Other indications (as may be required by certain designated Contracting Parties, such as, for example, the United States of America; **only** provide indications in **either** item (i) or in item (ii) but **not in both** items):

(i) if the applicant is a **natural person**, nationality of the applicant:

(ii) if the applicant is a **legal entity** (please, provide **both** the following indications):

– legal nature of the legal entity: Limited Liability Company.....

– State (country) and, where applicable, territorial unit within that State (canton, province, state, etc.), under the law of which the said legal entity has been organized:

.....
.....



(f) Other indications (as may be required by certain designated Contracting Parties, such as, for example, the United States of America; **only** provide indications in **either** item (i) or in item (ii) but **not in both** items):

(i) if the applicant is a **natural person**, nationality of the applicant:

(ii) if the applicant is a **legal entity** (please, provide **both** the following indications):

– legal nature of the legal entity: Limited Liability Company.....

– State (country) and, where applicable, territorial unit within that State (canton, province, state, etc.), under the law of which the said legal entity has been organized:

Kazakhstan
.....

7**THE MARK**

(a) Place the reproduction of the mark, as it appears in the basic application or basic registration, in the square below.



(b) Where the reproduction in item (a) is in black and white and color is claimed in item 8, place a color reproduction of the mark in the square below.



(c) The applicant declares that he wishes the mark to be considered as a mark in standard characters.

(d) The mark consists exclusively of a color or a combination of colors as such, without any figurative element.

9**MISCELLANEOUS INDICATIONS**

(a) Transliteration of the mark (this information is compulsory where the mark consists of or contains matter in characters other than Latin characters, or numerals other than Arabic or Roman numerals):

Prince

(b) Translation of the mark (as may be required by certain designated Contracting Parties; do not check the box in item (c) if you provide a translation in this item):

(i) into English: Prince

(ii) into French:

(iii) into Spanish:

Gamma

9

MISCELLANEOUS INDICATIONS

- (a) Transliteration of the mark (this information is compulsory where the mark consists of or contains matter in characters other than Latin characters, or numerals other than Arabic or Roman numerals):

.....
.....

- (b) Translation of the mark (as may be required by certain designated Contracting Parties; do not check the box in item (c) if you provide a translation in this item):

(i) into English: Gamma

(ii) into French:

(iii) into Spanish:

Указание Договаривающихся сторон

11

DESIGNATIONS

(Information on the procedures in the national or regional Offices of the members of the Madrid System may be found at the following website: www.wipo.int/madrid/en/members/ipoffices_info.html. Additional information may be found in the information notices available at: www.wipo.int/madrid/en/notices/.)

Check the corresponding boxes:

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> AF Afghanistan | <input type="checkbox"/> EE Estonia | <input type="checkbox"/> LA Lao People's Democratic Republic | <input type="checkbox"/> RS Serbia |
| <input type="checkbox"/> AG Antigua and Barbuda | <input type="checkbox"/> EG Egypt | <input type="checkbox"/> LI Liechtenstein | <input type="checkbox"/> RU Russian Federation |
| <input type="checkbox"/> AL Albania | <input type="checkbox"/> EM European Union ¹ | <input type="checkbox"/> LR Liberia | <input type="checkbox"/> RW Rwanda |
| <input type="checkbox"/> AM Armenia | <input type="checkbox"/> ES Spain | <input type="checkbox"/> LS Lesotho ² | <input type="checkbox"/> SD Sudan |
| <input type="checkbox"/> AT Austria | <input type="checkbox"/> FI Finland | <input type="checkbox"/> LT Lithuania | <input type="checkbox"/> SE Sweden |
| <input type="checkbox"/> AU Australia | <input type="checkbox"/> FR France | <input type="checkbox"/> LV Latvia | <input type="checkbox"/> SG Singapore ² |
| <input type="checkbox"/> AZ Azerbaijan | <input type="checkbox"/> GB United Kingdom ² | <input type="checkbox"/> MA Morocco | <input type="checkbox"/> SI Slovenia |
| <input type="checkbox"/> BA Bosnia and Herzegovina | <input type="checkbox"/> GE Georgia | <input type="checkbox"/> MC Monaco | <input type="checkbox"/> SK Slovakia |
| <input type="checkbox"/> BG Bulgaria | <input type="checkbox"/> GH Ghana | <input type="checkbox"/> MD Republic of Moldova | <input type="checkbox"/> SL Sierra Leone |
| <input type="checkbox"/> BH Bahrain | <input type="checkbox"/> GM Gambia | <input type="checkbox"/> ME Montenegro | <input type="checkbox"/> SM San Marino |
| <input type="checkbox"/> BN Brunei Darussalam ^{2]} | <input type="checkbox"/> GR Greece | <input type="checkbox"/> MG Madagascar | <input type="checkbox"/> ST Sao Tome and Principe |
| <input type="checkbox"/> BQ Bonaire, Saint Eustatius and Saba ^{6,7} | <input type="checkbox"/> HR Croatia | <input type="checkbox"/> MK North Macedonia | <input type="checkbox"/> SX Sint Maarten (Dutch part) ⁶ |
| <input type="checkbox"/> BR Brazil ^{5,8} | <input type="checkbox"/> HU Hungary | <input type="checkbox"/> MN Mongolia | <input type="checkbox"/> SY Syrian Arab Republic |
| <input type="checkbox"/> BT Bhutan | <input type="checkbox"/> ID Indonesia | <input type="checkbox"/> MW Malawi ² | <input type="checkbox"/> SZ Eswatini |
| <input type="checkbox"/> BW Botswana | <input type="checkbox"/> IE Ireland ² | <input type="checkbox"/> MX Mexico | <input type="checkbox"/> TH Thailand |
| <input type="checkbox"/> BX Benelux ⁹ | <input type="checkbox"/> IL Israel | <input type="checkbox"/> MY Malaysia ² | <input type="checkbox"/> TJ Tajikistan |
| <input type="checkbox"/> BY Belarus | <input type="checkbox"/> IN India ² | <input type="checkbox"/> MZ Mozambique ² | <input type="checkbox"/> TM Turkmenistan |
| <input type="checkbox"/> CA Canada | <input type="checkbox"/> IR Iran (Islamic Republic of) | <input type="checkbox"/> NA Namibia | <input type="checkbox"/> TN Tunisia |
| <input type="checkbox"/> CH Switzerland | <input type="checkbox"/> IS Iceland | <input type="checkbox"/> NO Norway | <input type="checkbox"/> TR Turkey |
| <input type="checkbox"/> CN China | <input type="checkbox"/> IT Italy | <input type="checkbox"/> NZ New Zealand ² | <input type="checkbox"/> UA Ukraine |
| <input type="checkbox"/> CO Colombia | <input type="checkbox"/> JP Japan ⁵ | <input type="checkbox"/> OA African Intellectual Property Organization (OAPI) ³ | <input type="checkbox"/> US United States of America ⁴ |
| <input type="checkbox"/> CU Cuba ⁵ | <input type="checkbox"/> KE Kenya | <input type="checkbox"/> OM Oman | <input type="checkbox"/> UZ Uzbekistan |
| <input type="checkbox"/> CW Curacao ⁶ | <input type="checkbox"/> KG Kyrgyzstan | <input type="checkbox"/> PH Philippines | <input type="checkbox"/> VN Viet Nam |
| <input type="checkbox"/> CY Cyprus | <input type="checkbox"/> KH Cambodia | <input type="checkbox"/> PL Poland | <input type="checkbox"/> WS Samoa |
| <input type="checkbox"/> CZ Czech Republic | <input type="checkbox"/> KP Democratic People's Republic of Korea | <input type="checkbox"/> PT Portugal | <input type="checkbox"/> ZM Zambia |
| <input type="checkbox"/> DE Germany | <input type="checkbox"/> KR Republic of Korea | <input type="checkbox"/> RO Romania | <input type="checkbox"/> ZW Zimbabwe |
| <input type="checkbox"/> DK Denmark | <input type="checkbox"/> KZ Kazakhstan | | |
| <input type="checkbox"/> DZ Algeria | | | |

Others: _____

Указание Договаривающихся сторон

- ¹ The designation of the **European Union** covers its Member States (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, The Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden) and, during a transition period, the United Kingdom (for further information, see [Information Notice No. 2/2020](#)).

If the **European Union** is designated, it is compulsory to indicate a second language before the Office of the European Union, among the following (check one box only): French German Italian Spanish

Moreover, if the applicant wishes to claim the seniority of an earlier mark registered in, or for, a Member State of the European Union, the official form MM17 must be annexed to the present international application.

- ² By designating **Brunei Darussalam, India, Ireland, Lesotho, Malawi, Malaysia, Mozambique, New Zealand, Singapore** or the **United Kingdom**, the applicant declares that he has the intention that the mark will be used by him or with his consent in that country in connection with the goods and services identified in this application.
- ³ The designation of the African Intellectual Property Organization (OAPI) covers the following Member States: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Equatorial Guinea, Gabon, Guinea, Guinea-Bissau, Mali, Mauritania, Niger, Senegal, Togo.
- ⁴ If the **United States of America** is designated, it is compulsory to annex to the present international application the official form (MM18) containing the declaration of intention to use the mark required by this Contracting Party. Item 2(f) of the present form should also be completed.
- ⁵ **Brazil, Cuba and Japan** have made a notification under Rule 34(3)(a) of the Regulations under the Protocol. Their respective **individual fees are payable in two parts**. Therefore, if **Brazil, Cuba** or **Japan** is designated, only the first part of the applicable individual fee is payable at the time of filing the present international application. The second part will have to be paid only if the Office of the Contracting Party concerned is satisfied that the mark which is the subject of the international registration qualifies for protection. The date by which the second part must be paid, and the amount due, will be notified to the holder of the international registration at a later stage.
- ⁶ Territorial entity previously part of the former Netherlands Antilles.
- ⁷ Protection in BQ (Bonaire, Saint Eustatius and Saba) is granted automatically with the designation (see [Information Notice No. 27/2011](#)).
- ⁸ By designating **Brazil**, the applicant declares that the applicant, or a company controlled by the applicant, effectively and lawfully conducts business in connection with the goods and services for which Brazil is being designated.
- ⁹ The designation of **Benelux** covers the following States: Belgium, Luxembourg and the Netherlands.

Декларация о намерении использовать знак

- Декларация о намерении использовать знак должна быть заполнена и приложена к международной заявке – Форма ММ 18

**DECLARATION OF INTENTION TO USE THE MARK:
UNITED STATES OF AMERICA**

By designating the United States as the international application/subsequent designation, the person signing below declares that:

- (1) the applicant/holder has a bona fide intention to use the mark in commerce that the United States Congress can regulate or is in accordance with the goods/services identified in the international application/subsequent designation;
- (2) he/she is properly authorized to execute this declaration on behalf of the applicant/holder;
- (3) he/she has no application/holder to be entitled to use the mark in commerce that the United States Congress can regulate or is in accordance with the goods/services identified in the international application/subsequent designation; and
- (4) to the best of his/her knowledge and belief no other person, firm, corporation, association, or other legal entity has the right to use the mark in commerce within the identical term limited or in such near resemblance thereto as to be likely, when used in or in connection with the goods/services of said other person, to cause confusion, or to cause mistake, or to deceive;
- (5) to the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.

I declare under penalty of perjury under the laws of the United States of America that all the foregoing statements are true and correct to the best of my knowledge and belief. I understand that willful false statements and the like may jeopardize the validity of the application or designation or any registration resulting therefrom, and are punishable by law or imprisonment, or both (18 U.S.C. §1001; 35 U.S.C. §105b).

Signature

Date of execution (dd/mm/yyyy)

Signatory's Name (Printed)

Signatory's Title

INSTRUCTION

This declaration must be signed by:

- (1) the applicant/holder or a person with legal authority to bind the applicant/holder; or
- (2) a person with firsthand knowledge of the facts and actual or implied authority to act on behalf of the applicant/holder; or
- (3) an attorney who is authorized to practice before the United States Patent and Trademark Office under 37 C.F.R. §10.1(c), who has an actual written or verbal power of attorney or an implied power of attorney from the applicant/holder.

INFORMATION REQUESTED BY THE INTERNATIONAL BUREAU

- (a) When the present declaration refers to an international application based on a basic application, indicate:
Trade application number Date of the basic application (dd/mm/yyyy) or
 - (b) When the present declaration refers to an international application based on a basic registration, indicate:
Trade registration number Date of the basic registration (dd/mm/yyyy) or
 - (c) When the present declaration refers to a subsequent designation of an international registration, indicate:
International registration number
- International Bureau's reference (where applicable)
- Name of applicant/holder

Инструменты

- Помощник по подаче заявок по Мадридской системе
<https://www.wipo.int/madrid/application-assistant/>

- Менеджер товаров и услуг
- Калькулятор пошлин

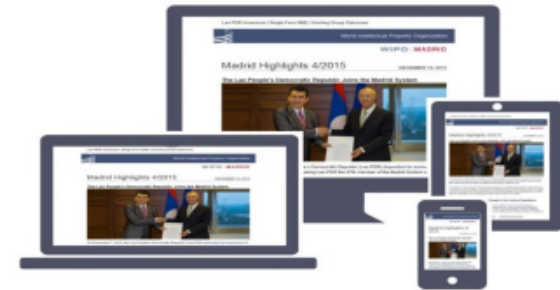




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